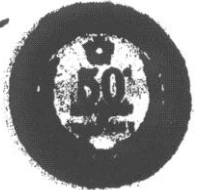




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May 11, 1994

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MEMORANDUM FOR DESIGNATED AGENCY ETHICS OFFICIALS AND DEPUTY
DESIGNATED AGENCY ETHICS OFFICIALS TO GENERAL
COUNSEL, DOD

SUBJECT: Military Officers Serving on Boards of Directors of Associations

Colonel Marshal M. Kaplan of the Army Standards of Conduct Office has discussed with his counterparts of the Military Departments a matter of general interest. He noted that there have been questions concerning the membership of active duty general and flag officers of the military services on the Board of Directors of the Armed Forces Benefit Association (AFBA) and on boards of similar organizations.

I agree with Colonel Kaplan that, under the provisions of the Standards of Ethical Conduct for Employees of the Executive Branch, Title 5 of the Code of Federal Regulations, Part 2635, and the Joint Ethics Regulation, DoD 5500.7-R, these officers may serve on such Boards of Directors, but must do so in their personal, not their official government, capacities.

I encourage you to advise any of your clients who serve on the AFBA Board, or on a similar board, that because they serve in their personal capacities, certain restrictions apply to their use of Government time and resources in the execution of any private association's business. Specifically, they may not use official duty time or Government personnel, official stationery, or postage to accomplish the business of the association. For example, they should not review board meeting minutes during their official duty time, and it would be improper to mail or telefax those same minutes back to the association at Government expense. To preclude inadvertent violations of these rules, it would be wise for the officers to advise the associations to communicate with them at their quarters.

To promote uniformity in the interpretation of these rules, I have accepted Colonel Kaplan's suggestion that the above conclusions be widely circulated.

David W. Ream
Deputy Designated Agency Ethics Official

